

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (ABA) NO. 533 OF 2021

Lalit s/O Bhojraj Thakre

...Versus...

State of Maharashtra Through Police Station Officer, Police Station Goregaon,
Tah. Goregaon, Distt. Gondia

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri D.V. Mahajan, Advocate for applicant
Shri M.J. Khan, A.P.P. for non-applicant/State

CORAM : VINAY JOSHI, J.
DATE : 22/09/2021

Heard.

2. It is prosecution case that applicant who is nephew of informant has assaulted the informant and her daughter-in-law at the instance of old land dispute. It is alleged that at the relevant time applicant has thrown a stone, which hit at the head of the informant's daughter-in-law, causing her injury. So also, applicant has assaulted informant by means of iron rod. The learned Counsel for the applicant submitted that at relevant time there was quarrel in which both sides got injured.

3. The applicant has filed counter First Information Report, bearing Crime No. 282/2021 in quick succession. He alleged against the three sons of informant beat him, causing grave injuries. Initially, Police have registered offence

punishable under Sections 324, 504 and 506 of the Indian Penal Code against applicant, but, later on as fracture of skull was noted, the offence punishable under Section 326 of the Indian Penal Code was added.

4. The allegation is of beating by stone. The bail is resisted by contending that yet the blood stained clothes of the applicant are not seized. Considering the nature of accusation, no purpose would be served by directing applicant to undergo custodial interrogation after lapse of considerable period. The learned Counsel for the applicant made a statement that the applicant would stay elsewhere to eliminate the chances of quarrel. Having regard to these facts and as counter cases were filed, applicant's/accused liberty can be protected on certain terms. Hence, the following order :

ORDER

- (i) Criminal application is allowed and disposed of.
- (ii) Ad-interim order dated 23/08/2021, is hereby made absolute on same terms and conditions as regards the furnishing of bail.
- (iii) The applicant/accused shall attend concerned Police Station on every Sunday and Wednesday in between 11.00 a.m. to 2.00 p.m. till filing of charge-sheet.
- (iv) Applicant shall not enter within the territorial limits of Tah. Goregaon, till filing of the charge-sheet, except for attending Police Station.

JUDGE